

L-ascorbic acid; 1-2% vitamin E component; and 1% vitamin A. The olive extract comprises at least one antioxidant phenolic compound, preferably selected from the group consisting of oleuropein and hydroxytyrosol. The vitamin E component is selected from the group consisting of tocopherols and tocotrienols and may comprise α -tocopherol. The product may also contain 1-5% zinc sulfate. The final pH of the product is preferably about 3.0 to 3.5 but may be in the range of 2.0 to 4.5.

In the Claims: Please cancel claims 17 and 22, and amend claims 16, 18, 20, and 23 as follows in clean form:

A1
Sub B
A2
Sub B
A3
Sub B

16. (amended) A product for application to skin, comprising:

- a) at least about $\frac{1}{2}$ % of a non-aqueous olive-leaf extract;
- b) 5-25% L-ascorbic acid;
- c) $\frac{1}{2}$ - 2% vitamin E component selected from the group consisting of tocopherols and tocotrienols; and
- d) $\frac{1}{2}$ - 2% vitamin A.

18. (amended) The product according to claim 16, wherein the olive-leaf extract is obtained by a method of extraction of olive leaves, comprising:

- a) treating the olive leaves to inactivate enzymes in the olive leaves;
- b) continuously extracting the treated olive leaves with a non-aqueous solvent, filtering and concentrating to form a first paste;
- c) removing the non-aqueous solvent;
- d) treating in a second solvent treatment step to form a final extract, wherein said final extract contains about 6-10% oleuropein; and

wherein the olive-leaf extract is the final extract.

20. (amended) The product according to claim 18 comprising:

- a) 1% of the final olive-leaf extract;
- b) 15-20% L-ascorbic acid;
- c) 1-2% vitamin E component; and
- d) 1% vitamin A.

Att. Sub. B6

23. (amended) The product according to claim 16, wherein the olive-leaf extract comprises at least one antioxidant phenolic compound.

Separate sheets showing the marked-up version of the amended claims and the amended paragraph of the specification are attached.

REMARKS

Reconsideration of the above-referenced patent application is respectfully requested in view of the foregoing amendments and remarks set forth herein.

The specification has been amended at page 9, line 6 to recite that the pH "may be in the range of 2.0 to 4.5". Support for this terminology is found in claim 26 as filed.

Claim 16 has been amended to recite a "non-aqueous olive-leaf extract". Support for this terminology is found in the specification, including at page 4, line 18. Claim 16 has also been amended to recite a vitamin E component "selected from the group consisting of tocopherols and tocotrienols". Support for this terminology is found in claim 22 as filed.

Claim 18 has been amended to include the terminology of claim 1, as required by the Examiner.

Claim 20 has been amended to correct the claim from which it depends.

Claim 23 has been amended to make it consistent with claim 16 as amended by reciting "olive-leaf" extract.

In the Office Action of July 16, 2002, the Examiner took the following actions to which Applicant herein makes response: (1) objected to the specification as failing to provide proper antecedent basis for the claimed subject matter, and required correction (pH 2.0); (2) rejected claims 16-26 under 35 U.S.C. 112, second paragraph, for indefiniteness (the terms "vitamin E component", "extract", "the olive-leaf extract"); (3) rejected claims 16-17, 19 and 21-26 under 35 U.S.C. 103(a) as being unpatentable over Neigut (US 5,378,461) in view of Bates (US 4,704,280) in light of Ganguli et al. (5,998,641) regarding an intrinsic property; (4) rejected claims 16, 18, and 20 under 35 U.S.C. 103(a) as being unpatentable over Meisner (AU 200159311 A-English abstract) in view of Neigut, Bates, Shasha et al. (1960), Fleming et al. (1969) and Fleming et al. (1973). These rejections are traversed in application to the claims as